

1 Sarah E. Piepmeier, Bar No. 227094  
2 SPiepmeier@perkinscoie.com  
3 Elise Edlin, Bar No. 293756  
4 EEdlin@perkinscoie.com  
5 PERKINS COIE LLP  
505 Howard Street, Suite 1000  
6 San Francisco, California 94105  
7 Telephone: +1.415.344.7000  
8 Facsimile: +1.415.344.7050  
9  
10 Janice L. Ta (admitted *pro hac vice*)  
11 JTa@perkinscoie.com  
12 PERKINS COIE LLP  
13 405 Colorado Street Suite 1700  
14 Austin, Texas 78701  
15 Telephone: +1.737.256.6100  
16 Facsimile: +1.737.256.6300  
17  
18 Jassiem N. Moore, (admitted *pro hac vice*)  
19 JassiemMoore@perkinscoie.com  
20 PERKINS COIE LLP  
21 1201 Third Avenue, Suite 4900  
22 Seattle, Washington 98101-3099  
23 Telephone: +1.206.359.8000  
24 Facsimile: +1.206.359.9000  
25  
26 Brianna Kadjo, Bar No. 303336  
27 BKadjo@perkinscoie.com  
28 PERKINS COIE LLP  
1900 Sixteenth Street, Suite 1400  
Denver, Colorado 80202-5255  
Telephone: +1.303.291.2300  
Facsimile: +1.303.291.2400  
Attorneys for Defendant NETFLIX, INC.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

LAURI VALJAKKA,  
Plaintiff,  
v.  
NETFLIX, INC.,  
Defendant.

**Case No. 4:22-cv-01490-JST**

**DEFENDANT NETFLIX, INC.'S  
UNOPPOSED NOTICE OF MOTION  
AND MOTION FOR LEAVE TO  
SUPPLEMENT ITS RESPONSIVE  
DAMAGES CONTENTIONS**

Judge: Hon. Jon S. Tigar  
Hearing Date: 09/07/2023  
Time: 2:00 p.m.

## **NOTICE OF MOTION AND MOTION**

PLEASE TAKE NOTICE that on September 7, 2023 at 2:00 PM, or as soon thereafter as counsel may be heard, in the Courtroom of the Honorable Jon S. Tigar, 1301 Clay Street, Oakland, CA 94612, Defendant Netflix, Inc. (“Netflix”) will and hereby does move the Court for an order granting Netflix’s leave to supplement its Responsive Damages Contentions. Netflix’s proposed responsive damages contentions are attached as Exhibit A to the Elise Edlin Declaration. The grounds for this motion are that Netflix has good cause to supplement its Responsive Damages Contentions under Patent L.R. 3-9. The parties met and conferred on June 14, 2023 regarding the motion, and Plaintiff confirmed it would not oppose the motion.

**STATEMENT OF RELIEF REQUESTED**

Pursuant to Federal Rules of Civil Procedure 15 and 16, Netflix files this unopposed motion for leave to amend its Patent L.R. 3–9 Responsive Damages Contentions (“Responsive Damages Contentions”). Netflix’s proposed supplementation is attached hereto as Ex. A. Both Netflix and Mr. Valjakka made significant additional productions of documents relevant to damages between October 3, 2022 and the close of fact discovery on June 14, 2023. The parties met and conferred on June 14, 2023 regarding the motion, and Plaintiff confirmed he would not oppose the motion. Accordingly, Netflix seeks to amend its Responsive Damages Contentions.

18 Netflix has been diligent in both helping the Court set an achievable case schedule and in  
19 amending its Answer. Every modification to the scheduling order has either come as the result of a  
20 joint stipulation or unopposed agreement. *See, e.g.*, ECF Nos. 46, 59, 95, 96. In the months since  
21 Netflix’s initial Responsive Damages Contentions, Mr. Valjakka produced relevant documents on  
22 at least May 15 and 16, 2023, and Netflix has made relevant productions on at least April 3, May  
23 18, and June 2, 2023 as well as producing translations of relevant Finnish documents from Mr.  
24 Valjakka on June 12–13, 2023.

25 For the reasons set forth above, Netflix moves to supplement its Responsive Damages  
26 Contentions.

1 Dated: June 20, 2023

PERKINS COIE LLP

3 By: /s/ Elise Edlin

4 Sarah E. Piepmeyer, Bar No. 227094  
SPiepmeyer@perkinscoie.com  
5 Elise Edlin, Bar No. 293756  
EEdlin@perkinscoie.com  
6 PERKINS COIE LLP  
505 Howard Street, Suite 1000  
San Francisco, California 94105  
7 Telephone: +1.415.344.7000  
Facsimile: +1.415.344.7050

8 Janice L. Ta (admitted *pro hac vice*)  
9 JTa@perkinscoie.com  
PERKINS COIE LLP  
10 405 Colorado Street Suite 1700  
Austin, Texas 78701  
11 Telephone: +1.737.256.6100  
Facsimile: +1.737.256.6300

12 Jassiem N. Moore, (admitted *pro hac vice*)  
13 JassiemMoore@perkinscoie.com  
PERKINS COIE LLP  
14 1201 Third Avenue, Suite 4900  
Seattle, Washington 98101-3099  
15 Telephone: +1.206.359.8000  
Facsimile: +1.206.359.9000

16 Brianna Kadjo, Bar No. 303336  
17 BKadjo@perkinscoie.com  
PERKINS COIE LLP  
18 1900 Sixteenth Street, Suite 1400  
Denver, Colorado 80202-5255  
19 Telephone: +1.303.291.2300  
Facsimile: +1.303.291.2400

20 Attorneys for Defendant NETFLIX, INC.